

IN RE: PETITION SPECIAL HEARING * BEFORE THE
S/S of Greenspring Valley * ZONING COMMISSIONER
Road, W/S and E/S of Green- * OF BALTIMORE COUNTY
spring Avenue - 3rd Election *
District *
Marcus E. Whitman, * Case No. 87-201-SPH
Petitioner *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests approval to subdivide existing property zoned R.C.2, pursuant to lots separately described in individual deeds or within a particular deed, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, by Timothy M. Rodgers, the Contract Purchaser, appeared and was represented by Counsel. Adjoining property owners also appeared and were represented by Counsel. Gordon Sugar and Sister Margaret Scanlon, also adjoining property owners, appeared and were not represented by Counsel. People's Counsel also appeared.

Testimony indicated that the Petitioner came into possession of the property located on Greenspring Valley Road by will. The decedent had accumulated the 155 acres over many years by the acquisition of various parcels delineated either by separate metes and bounds descriptions in particular deeds or by parcels specifically described in other deeds. In fact, there are 15 specifically described parcels, i.e., three parcels described separately by deed dated August 31, 1982; one parcel described by deed dated February 19, 1958; one parcel described by deed dated April 17, 1980; one parcel described by deed dated January 23, 1962; two parcels described by deed dated July 3, 1958; one parcel described by deed dated April 9, 1953; one parcel described by deed dated February 15, 1963; one parcel

described by deed dated February 26, 1964; two parcels described by deed dated March 1, 1976; one parcel described by deed dated June 2, 1969; and one parcel described by deed dated January 3, 1972. Based on the current R.C.2 density requirements, assuming that each particularly described lot would be counted separately, the Petitioner argued that there would be 13 parcels of the 15 which would be usable as 26 potential building lots.

Presently, three existing dwellings exist on the site, the main house, called Laurel, and two tenant houses. The Petitioner and most of the adjoining property owners have entered into an agreement that if each parcel is considered individually for purposes of density, then the Petitioner would divide the 155 acres into only seven building lots, including the existing three. Other restrictions have also been agreed to by the parties.

Mr. Sugar is opposed because he wants more than a 50-foot setback from his joint property line to any potential building envelope on the Petitioner's property. Sister Margaret Scanlon is concerned about the easement the Villa Julie Infirmary enjoys to water rights on the Petitioner's property. The Petitioner assured her that the easement would continue and be guaranteed.

The Petitioner seeks relief from Section 1A01.3.B.1, pursuant to Section 500.7, Baltimore County Zoning Regulations (BCZR).

The issue presented here must be divided. The first is whether the intent of the BCZR is to treat, for purposes of density, distinctly described parcels in one deed separately or where there is a number of deeds transferring adjoining parcels to treat each parcel separately or, in the alternative, whether the entire number of parcels should be treated collectively as one. The second is whether density may be transferred.

The Petitioner pointed out that the various parcels were described separately in deeds prepared prior to 1979, when the current R.C.2 zoning requirements went into effect.

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Section 101, BCZR, clearly defines a "lot of record" as "[a] parcel of land with boundaries as recorded in the Land Records of Baltimore County on the same date as the effective date of the zoning regulation which governs the use, subdivision, or other condition thereof." Subsequent to the recording of all of the parcels referred to above, the Baltimore County Council (Council) passed Bill No. 178-79, effective November 25, 1979, which enacted Section 1A01.3.B.1, BCZR, delineating density and minimum acreage requirements for property in R.C.2 Zones. Clearly, the parcels created either in each deed or separately by deed prior to 1979 should be governed by prior legislation then in effect and not by Bill No. 178-79.

This view has been confirmed by the consistent policy of the Zoning Commissioner and the Zoning Office. The second part of the issue presented is not as clear cut but has been of equal importance. It has also been the policy of the Zoning Commissioner to permit the transfer of density from one lot to another, or cluster, in an R.C.2 Zone, but only after a public hearing. Transfer can be granted only after a hearing in which the public has been made aware of the proposal and the Petitioner has provided a public forum from which he could justify his request in order to conform to the legislative intent defined by Section 1A01.1.A and B, BCZR.

Section 1A00.1, BCZR, explains the Council's intent in creating the R.C. classifications. The concern was evident that agricultural land was being converted by development without sound planning considerations, i.e., development was creating "urban sprawl" and undesirable land use patterns. The Council wanted to protect prime agricultural land, critical watershed areas, and mineral extractive sites as well as other important natural resource areas. To achieve this result, the R.C. classifications would (1) discourage present land use patterns of development and create a framework for planned or orderly development; (2) provide sufficient and adequate areas for

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rural-suburban and related development in selected and suitable areas; (3) protect both natural and man-made resources from compromising effects of specific forms and densities of development; and (4) protect areas desirable for more intensive future development by regulating undesirable forms of development within these areas until such time as intensive development commences. Section 1A00.2, BCZR. Specifically, the R.C.2 Zone was established to encourage continued agricultural use of productive agricultural areas by preventing incompatible forms and degrees of urban uses. Section 1A01.1.B.

While it is true that the transfer of density is not specifically mentioned in the R.C.2 regulations, it is clear that the legislative intent was to permit such, provided the findings and purposes delineated by the Council, as described above, are satisfied. This is not easily accomplished. For such to occur, the burden is on the Petitioner to prove that the proposed transfer would, in fact, encourage continued agricultural use and that the transfer would not be incompatible to such. If permitted at all, such transfer of density should be accomplished only after a full scrutiny of the proposal, subsequent to the public hearing. The transfer of density is neither specifically permitted nor prohibited in the R.C.2 Zone.

The conclusion is inescapable that, under the plain meaning of the statutes, the Zoning Commissioner's policy is correct. See State v. Febritz, 276 Md. 416 (1975).

The intent of the BCZR must be determined as being construed as a whole. See Smith v. Miller, 249 Md. 390. Thus, the specific language delineating the findings and purposes of Section 1A01, BCZR, must be construed in light of all of the provisions contained therein so that the several parts of those regulations are given their intended effect. Moreover, the relationship between those various provisions must be reconciled as a whole. See Smith, supra;

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Bowie Vol. Fire Depart. & Rescue Squad, Inc. v. Bd. of County Commissioners, 255 Md. 391; and Anderson, American Law of Zoning, Section 16.08.

An ordinance should be construed "so that no word, clause, sentence, or phrase shall be rendered surplusage, superfluous, meaningless or nugatory." Supervisor v. Southgate Harbor, 279 Md. 586 (1977). If Section 1A01.1, 2, and 3, BCZR, were read together, it would be clear that transfer of density would be permitted under the narrow conditions described above. Here, the Petitioner's proposal meets and satisfies those conditions. The plan presented reconfigures the permissible development while maintaining the spirit and intent of the BCZR.

The restrictions agreed to by the Petitioner, which will be incorporated in their entirety below, certainly project the bona fide intentions of the Petitioner to provide, retain, and foster conditions favorable to a continued agricultural use of the projective agricultural areas of Baltimore County by proposing compatible forms and degrees of urban use. Section 1A01.1.B., BCZR. There is no intent to evade the spirit and intent of the BCZR and there will be no adverse impact on the public health, safety, and welfare of the community.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested approval of density transfer should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 26th day of May, 1987, that the transfer of density of property zoned R.C.2 be approved and, as such, the Petition for Special Hearing is hereby GRANTED, from and after the date of this Order, subject, however, to the following restriction which is a condition precedent to the relief herein granted:

1. The revised site plan, as submitted on May 21, 1987 and as agreed upon by all parties hereto, shall be adopted as the final subdivision plan.

[Signature]
Zoning Commissioner of
Baltimore County

AJ/srl

Attachment

cc: William M. Hesson, Jr., Esquire
John B. Howard, Esquire
Francis N. Iglehart, Jr., Esquire
Ms. Lisa Keir
People's Counsel

ORDER RECEIVED FOR FILING
Date May 26, 1987
By *[Signature]*

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DESCRIPTION INDEX

DEED REFERENCE	DATE	TAX MAP & PARCEL NO.	AREA	LOTS PERMITTED
6430/603	August 31, 1982	Map 59	7.2 Ac.±	1
1 Parcel 1A		P. 452	20.4 Ac.±	2
2 1B		P/O P. 452		
3 Parcel 2		Map 59 P. 414	41 Ac.±	2
4 3322/477	February 19, 1958	Map 59 P. 170	15.14 Ac.±	2
5 6191/829	April 17, 1980	Map 59 P. 472	8.16 Ac.±	1
6 3949/476	January 23, 1962	Map 59 P. 206	2.01 Ac.±	2
3378/36	July 3, 1958	Map 59		
7 Parcel 1		P. 351	3.30 Ac.±	2
8 Parcel 2		P/O P. 351	1.56 Ac.±	1
9 2273/533	April 9, 1953	Map 59 P.	0.35 Ac.±	1
10 4109/193	February 15, 1963	Map 59 P. 315	3.14 Ac.±	2
11 4274/463	February 26, 1964	Map 59 P. 148	6.27 Ac.±	2
5614/939	March 1, 1976	Map 68 P. 488		
12 Parcel 1			8.4 Ac.±	2
13 Parcel 2			9.1 Ac.±	2
14 4998/628	June 2, 1969	Map 59 P. 415	12.7 Ac.±	2
15 5246/924	January 3, 1972	Map 59 P. 418	16.7 Ac.±	2



155.43 Ac

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
303 ALLEGHENY AVENUE, TOWSON, MARYLAND 21204

August 25, 1986

Description to Accompany A Petition
For A Special Hearing.

RE: Whitman Estate
6430/603 - Parcel 1A
Residual

Point of beginning being located on the south side of Valley Road 2,360 feet ± westerly from Greenspring Avenue thence in a clockwise direction:

1. South 65° 45' East 54.17 feet ±
2. Easterly - R = 223.4 feet ± L = 160.896 feet ± Chord South 86° 23' East 157.42 feet ±
3. South 30° 19' 00" East 91.75 feet ±
4. South 65° 52' East 89.72 feet ±
5. South 07° 46' 22" West 508.07 feet ±
6. South 38° 30' 54" East 165.12 feet ±
7. South 11° 56' 04" West 220.72 feet ±
8. South 55° 35' 21" West 44.17 feet ±
9. South 74° 48' 28" West 42.34 feet ±
10. North 88° 39' 01" East 85.79 feet ±
11. North 75° 30' 00" West 96.26 feet ±
12. North 55° 18' 22" West 46.79 feet ±
13. North 43° 54' 58" West 57.81 feet ±
14. North 84° 09' 56" West 25.52 feet ± and
15. North 02° 15' 00" East 936.31 feet to the place of beginning.

Containing 7.2 acres of land more or less.

(THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY)



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Description to Accompany A Petition
For A Special Hearing.

August 25, 1986

RE: Whitman Estate
6430/603 - Parcel 1B
Residual

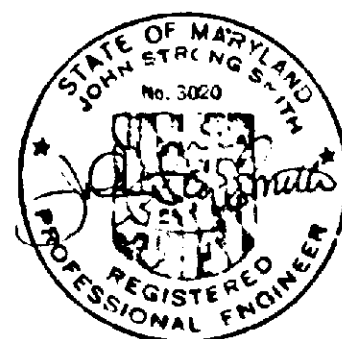
Point of beginning being located in Greenspring Avenue 2,140 feet ± south
of Valley Road thence in a clockwise direction:

1. North 86° 8' West 1,376.83 feet ±
2. North 06° 28' East 682.72 feet ±
3. North 05° 41' 50" East 281.63 feet ±
4. North 46° 32' 20" West 92.79 feet ±
5. North 10° 40' 50" East 79.74 feet ±
6. North 07° 15' 40" East 17.23 feet ±
7. North 57° 13' 30" East 219.39 feet ±
8. North 44° 57' 30" West 171.08 feet ±
9. South 17° 52' 00" East 622.81 feet ±
10. South 57° 20' 50" West 103.40 feet ±
11. Southeasterly - R = 650.00 feet ± L = 668.58 feet ± Chord South
47° 20' 00" East 639.49 feet ±
12. South 76° 48' 00" East 429.97 feet ± and
13. South 4° 25' 00" East 271.12 feet ± to the place of beginning.

Containing 20.4 acres of land more or less.

(THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY)

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Description to Accompany A Petition
For A Special Hearing.

August 25, 1986

RE: Whitman Estate
6430/603
"Rogardul" Lots
22 to 51

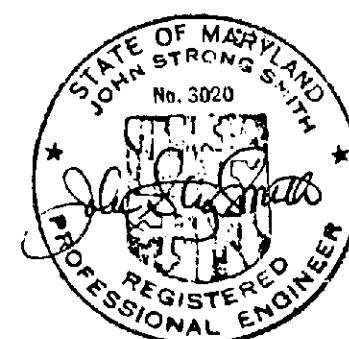
Point of beginning being located on the west side of Greenspring Avenue
500 feet ± north of Hillside Road thence in a clockwise direction:

1. Westerly 1,630.75 feet ±
2. North 1° 6' 30" West 1,128.75 feet ±
3. South 86° 8' West 1,352 feet ± and
4. Southerly along the west side of Greenspring Avenue 1,360 feet ±
to the place of beginning.

Containing 41 acres of land more or less.

(THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY)

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Description to Accompany A Petition
For A Special Hearing.

August 25, 1986

RE: Whitman Estate
3322/477

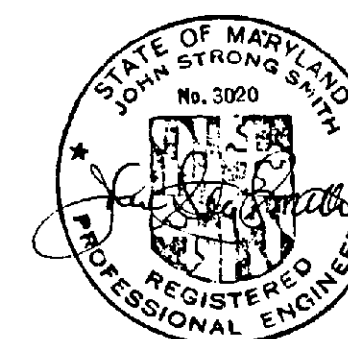
Point of beginning being located South 23° West ± 1,500 feet ± from the P.I.
of Valley Road and Greenspring Avenue thence in a counter clockwise direction:

1. Due East 668.80 feet ±
2. North 2° 27' East 266.98 feet ±
3. North 4° 02' East 205.76 feet ±
4. Due West 776.40 feet ±
5. North 42° 59' 50" West 535.12 feet ±
6. Southwesterly - R = 235.60 feet ± L = 128.53 feet ± Chord
South 65° 49' 15" West 126.95 feet ±
7. South 81° 27' West 176.70 feet ±
8. Southwesterly - R = 352.30 feet ± L = 169.50 feet ± Chord South
67° 40' West 167.87 feet ±
9. South 53° 53' West 60.00 feet ±
10. Southwesterly - R = 238.40 feet ± L = 75.90 feet ± Chord South
63° 0' 15" West 75.60 feet ±
11. South 30° 19' East 56.37 feet ±
12. Southeasterly - R = 20 feet ± L = 50.42 feet ± Chord South 48°
05' 30" East 38.09 feet ±
13. South 65° 52' East 909.00 feet ±
14. Southeasterly - R = 160.00 feet ± L = 134.00 feet ± Chord South
41° 52' East 130.16 feet ± and
15. South 17° 52' East 130.16 feet ± to the place of beginning.

Containing 15.14 acres of land more or less.

(THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY)

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Description to Accompany A Petition
For A Special Hearing.

August 25, 1986

RE: Whitman Estate
6191/829

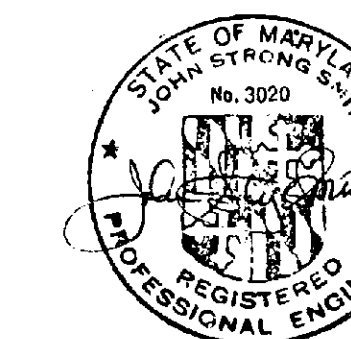
Point of beginning being located North 39° 30' West ± 3,180 feet ± from
the P.I. of Hillside Road and Greenspring Avenue thence in a clockwise direction:

1. North 82° 51' 20" West 516.41 feet ±
2. North 2° 15' 00" East 314.02 feet ±
3. South 84° 09' 58" East 25.52 feet ±
4. South 43° 54' 58" East 57.81 feet ±
5. South 55° 18' 22" East 46.79 feet ±
6. South 75° 30' 00" East 96.26 feet ±
7. South 88° 39' 01" East 85.74 feet ±
8. North 74° 48' 28" East 42.34 feet ±
9. North 55° 35' 21" East 44.17 feet ±
10. North 11° 56' 04" East 220.72 feet ±
11. North 38° 30' 54" West 165.12 feet ±
12. North 7° 46' 22" East 508.07 feet ±
13. North 65° 52' 00" East 405.25 feet ±
14. South 24° 08' West 442.70 feet ± and
15. South 5° 47' 50" West 598.98 feet ± to the place of beginning.

Containing 8.16 Acres of land more or less.

(THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY)

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Description to Accompany Petition
For A Special Hearing.

August 25, 1986

RE: Whitman Estate
3949/476

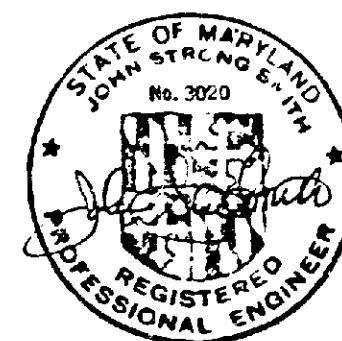
Point of beginning being located North 38° 30' West ± 3,130 feet ± from the
P.I. of Hillside Road and Greenspring Avenue thence in a clockwise direction:

1. North 82° 51' 20" West 75.84 feet ±
2. North 5° 47' 50" East 599.21 feet ±
3. North 24° 08' 00" East 442.59 feet ±
4. South 65° 52' 00" East 111.59 feet ±
5. South 33° 16' 20" West 66.54 feet ±
6. South 57° 58' 40" West 70.00 feet ±
7. South 32° 34' 50" West 45.00 feet ±
8. South 19° 34' 50" West 40.07 feet ±
9. South 4° 11' 50" East 119.42 feet ±
10. South 2° 17' 10" West 49.00 feet ±
11. South 40° 59' 10" West 155.00 feet ±
12. South 15° 34' 15" East 76.71 feet ±
13. South 6° 54' 20" West 30.00 feet ±
14. North 84° 47' 50" West 20.19 feet ± and
15. South 5° 47' 50" West 412.26 feet ± to the place of beginning.

Containing 2.01 acres of land more or less.

(THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY)

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Description to Accompany A Petition
For A Special Hearing.

August 25, 1986

RE: Whitman Estate
3373/36
Parcel 1

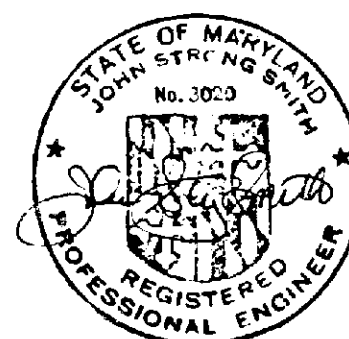
Point of beginning being located South 33° 15' West ± 1,970 feet ± from the
P.I. of Valley Road and Greenspring Avenue thence in a clockwise direction:

1. North 7° 15' 40" East 95.02 feet ±
2. North 29° 43' 20" West 74.59 feet ±
3. North 80° 50' 10" West 19.63 feet ±
4. South 40° 59' 10" West 57.15 feet ±
5. South 6° 54' 20" West 98.32 feet ±
6. North 19° 34' 15" West 76.71 feet ±
7. North 40° 59' 10" East 155.00 feet ±
8. North 2° 17' 10" East 49.00 feet ±
9. North 4° 11' 50" West 119.42 feet ±
10. North 19° 34' 50" East 40.07 feet ±
11. North 32° 34' 50" East 45.00 feet ±
12. North 57° 58' 40" East 70.00 feet ±
13. North 33° 16' 20" East 66.54 feet ±
14. South 65° 52' 00" East 322.44 feet ±
15. Southeasterly - R = 160.00 feet L = 55.91 feet chord South 55° 51'
19" East 55.63 feet
16. South 44° 57' 30" West 374.88 feet ± and
17. South 57° 13' 30" West 219.39 feet ± to the place of beginning.

Containing 3.30 Acres of land more or less.

(THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY)

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Description to Accompany A Petition
For A Special Hearing.

August 25, 1986

RE: Whitman Estate
3378/36
Parcel 2

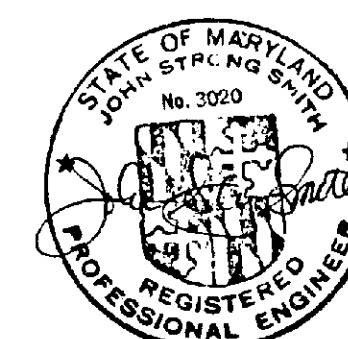
Point of beginning being located North 35° 45' West ± 3,010 feet ± from the
P.I. of Hillside Road and Greenspring Avenue thence in a clockwise direction:

1. North 82° 51' 20" West 182.87 feet ±
2. North 5° 47' 50" East 412.26 feet ±
3. South 84° 47' 50" East 115.66 feet ±
4. South 10° 40' 50" West 79.74 feet ±
5. South 46° 32' 20" East 92.79 feet ± and
6. South 5° 41' 50" West 281.63 feet ± to the place of beginning.

Containing 1.56 acres of land more or less.

(THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY)

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Description to Accompany A Petition
For A Special Hearing.

August 25, 1986

RE: Whitman Estate
2273/533

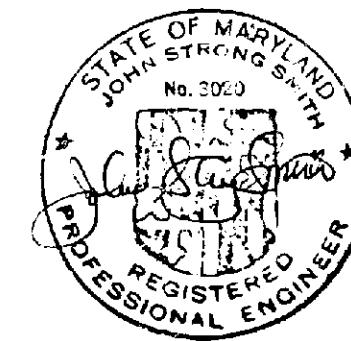
Point of beginning being located South 33° 15' West ± 1,970 feet ± from the
P.I. of Valley Road and Greenspring Avenue thence in a counter clockwise direction:

1. North 07° 20' 00" East 95.02 feet ±
2. North 29° 39' 00" West 74.59 feet ±
3. North 80° 45' 50" West 19.63 feet ±
4. South 41° 03' 30" West 57.15 feet ±
5. South 06° 58' 40" West 128.32 feet ±
6. South 84° 43' 30" East 95.47 feet ± and
7. North 07° 20' 00" East 17.23 feet ± to the place of beginning.

Containing 0.35 Acres of land more or less.

(THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY)

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Description to Accompany A Petition
For A Special Hearing.

August 25, 1986

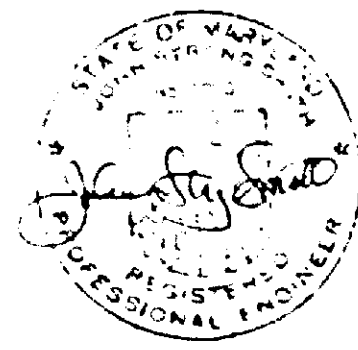
RE: Whitman Estate
4109/193

Point of beginning being located South 26° 30' West ± 1,420 feet ± from the
P.I. of Valley Road and Greenspring Avenue thence in a clockwise direction:

1. South 17° 52' 00" East 667.16 feet ±
2. South 79° 39' 00" West 201.75 feet ±
3. North 17° 52' 00" West 622.81 feet ±
4. North 44° 57' 30" East 203.80 feet ± and
5. Southeasterly - R = 160.00 feet ± L = 78.13 feet ± Chord South
31° 51' 19" East 77.35 feet ± to the place of beginning.

Containing 3.14 acres of land more or less.

(THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY)



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Description To Accompany A Petition
For A Special Hearing.

August 25, 1986

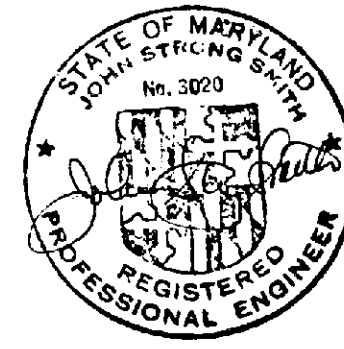
RE: Whitman Estate
4274/463

Point of beginning being located in Greenspring Avenue 2,140 feet ± south
of Valley Road thence in a clockwise direction:

1. South 3° 55' 00" East 141.00 feet ±
2. South 4° 25' 00" East 173.38 feet ±
3. North 76° 48' 00" West 429.97 feet ±
4. Northwesterly - R = 650.00 feet ± L = 668.59 feet ± Chord North
47° 20' 00" West 639.49 feet ±
5. North 57° 20' 50" East 103.40 feet ±
6. North 79° 39' 00" East 201.75 feet ±
7. Southeasterly - R = 350.00 feet ± L = 360.00 Chord South 47° 20'
00" East 344.34 feet ± and
8. South 76° 48' 00" East 336.00 feet ± to the place of beginning.

Containing 6.27 acres of land more or less.

(THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY)



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Description to Accompany A Petition
For A Special Hearing.

August 25, 1986

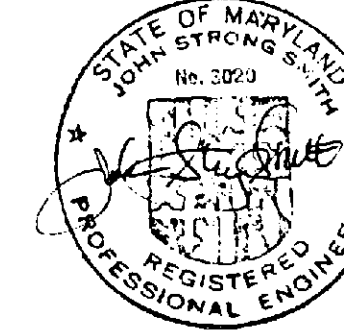
RE: Whitman Estate
5614/939
Parcel-1
"Rogerdel" Lots
1 to 8

Point of beginning being located on the west side of Greenspring Avenue
100 feet north of Hillside Road thence in a clockwise direction:

1. South 84° 03' 25" West 820 feet ±
2. South 86° 23' 10" West 120 feet ±
3. North 537.5 feet ±
4. Easterly 848.86 feet ± and
5. Southerly along the west side of Greenspring Avenue 373 feet ±
to the place of beginning.

Containing 8.4 acres of land more or less.

(THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY)



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Description to Accompany A Petition
For A Special Hearing.

August 25, 1986

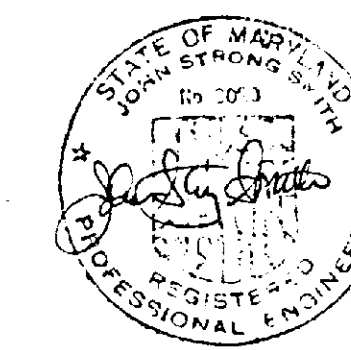
RE: Whitman Estate
5614/939
Parcel-2
"Rogerdel" Lots
9 to 15

Point of beginning being located 990 feet ± west from the
P.I. of Hillside Road and Greenspring Avenue thence in a clockwise direction:

1. South 86° 23' 10" West 745.79 feet ±
2. North 01° 06' 30" West 639 feet ±
3. Easterly 740.58 feet ± and
4. South 537.5 feet ± to the place of beginning.

Containing 9.1 acres of land more or less.

(THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY)



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Description to Accompany A Petition
For A Special Hearing.

August 25, 1986

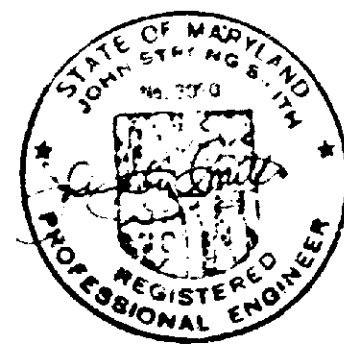
RE: Whitman Estate
4958/628
"Rogerdel" Lots
69 to 78

Point of beginning being located on the east side of Greenspring Avenue
1,000 feet ± north of Hillside Road thence in a clockwise direction:

1. On the east side of Greenspring Avenue northerly 562.35 feet ±
2. North 86° 33' 22" East 1,000 feet ±
3. South 05° 14' 41" East 575 feet ± and
4. South 86° 33' 22" East 921 feet ± to the place of beginning.

Containing 12.7 acres of land more or less.

(THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY)



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Description to Accompany A Petition
For A Special Hearing.

August 25, 1986

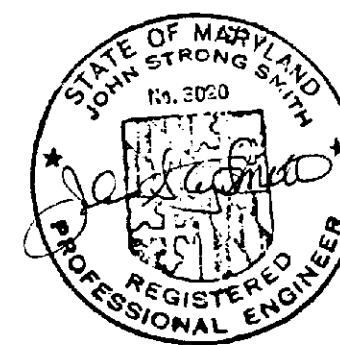
RE: Whitman Estate
5246/924
"Rogerdel" Lots
56 to 68

Point of beginning being located on the east side of Greenspring Avenue
100 feet ± north of Hillside Road thence in a clockwise direction:

1. On the east side of Greenspring Avenue northerly 917 feet ±
2. North 86° 33' 22" East 921 feet ±
3. South 05° 14' 41" East 923 feet ±
4. Westerly - R = 1,235.36 feet ± L = 307.38 feet ± Chord North 88°
48' 53" West 306.59 feet ± and
5. South 84° 03' 25" West 790 feet ± to the place of beginning.

Containing 16.7 acres of land more or less.

(THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY)



15 of 15

PETITION FOR SPECIAL HEARING

3rd Election District

Case No. 87-201-SPH

LOCATION: South Side of Valley Road, West and East Side of Greenspring
Avenue

DATE AND TIME: Wednesday, November 19, 1986, at 11:00 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue,
Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and
Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing to approve the application of Baltimore County
Zoning Regulation 1A01.3.B1 to the creation and existence of separate
buildable parcels of land in an R.C. 2 Zone where the parcels of land are
described in separate deeds and/or in separate descriptions in the same deeds,
which deeds were recorded prior to November 25, 1979

Being the property of Marcus E. Whitman, as shown on plat
plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued
within the thirty (30) day appeal period. The Zoning Commissioner will, however,
entertain any request for a stay of the issuance of said permit during this period
for good cause shown. Such request must be received in writing by the date of the
hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
S/S of Valley Rd., W & E/S of : OF BALTIMORE COUNTY
Greenspring Ave., 3rd District :
MARCUS E. WHITMAN, Petitioner : Case No. 87-201-SPH

ENTRY OF APPEARANCE
Please enter the appearance of the People's Counsel in the above-
captioned matter. Notices should be sent of any hearing dates or other
proceedings in this matter and of the passage of any preliminary or
final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
454-2185

I HEREBY CERTIFY that on this 8th day of October, 1986, a copy
of the foregoing Entry of Appearance was mailed to William M. Hesson, Jr.,
204 W. Pennsylvania Ave., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 823-7800

OF COUNSEL
RALPH E. DEITZ
9026 LIBERTY ROAD
RANDALLSTOWN, MARYLAND 21133
(301) 822-2121

RUSSELL J. WHITE

June 19, 1987

Mr. Norman Gerber
Director of Planning and Zoning
for Baltimore County
Courts Building
Towson, Maryland 21204

HAND DELIVERY

RE: Whitman/Rodgers Property
Greenspring Valley Road and
Greenspring Avenue

Dear Norman:

Confirming our office conference of June 18, 1987, I understand that you agree that the proposal of the contract purchaser, Timothy Rodgers, to divide two (2) separate parcels which are part of the above-captioned property into two (2) parcels each is an exempt subdivision under subparagraph (4) of Section 22-42 of the County Subdivision Regulations. This exemption applies to the application of Division Two (2) of those regulations.

I would appreciate your acknowledgment and confirmation of this position as indicated below.

Sincerely,

William M. Hesson, Jr.

ACKNOWLEDGED AND CONFIRMED BY:

Norman Gerber, Director of
Planning and Zoning for Baltimore
County.

DATE

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner

Date: November 17, 1986

Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning

SUBJECT: Zoning Petition No. 87-201-S PH

Normally, in special hearing matters of this type, this office declines to comment. However, in this particular case, this office has serious concerns that the legalization of the proposed lots here would contravene the purpose and intent of the R.C. 2 zoning classification.

Norman E. Gerber, AICP
Director

NEG:JGH:sib

RECEIVED
NOV 17 1986

ZONING OFFICE

RECEIVED
ZONING OFFICE

CP5-008

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 823-7800

OF COUNSEL
RALPH E. DEITZ
9026 LIBERTY ROAD
RANDALLSTOWN, MARYLAND 21133
(301) 822-2121

RUSSELL J. WHITE

September 14, 1986

Ms. Karen Baker
Secretary to Mr. Dyer
Zoning Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Special Exception
MARCUS E. WHITMAN PROPERTY, Item No. 107

Dear Ms. Baker:

As I mentioned to you on September 11, it is essential to the contract purchaser of the above-captioned property to have an opinion of the zoning commissioner by mid-November. I expect that the hearing would take between 45 minutes and one hour, since it is essentially a "paper" case where most of the evidence consists of documents which are already recorded among the Land Records of Baltimore County.

Any assistance that you can give in scheduling an early hearing in this matter would be greatly appreciated by the contract purchaser.

Sincerely,
William M. Hesson, Jr.

WMH, Jr./jmg

cc: Mr. Timothy Rodgers

0075A

9/21/86 - Planning Section
11/19/86

RECEIVED
SEP 16 1986
ZONING OFFICE

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 5, 1986

William M. Hesson, Jr., Esquire
204 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Item No. 107 - Case No. 87-201-SPH
Petitioner: Marcus E. Whitman
Petition for Special Hearing

Dear Mr. Hesson:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commission with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer, Jr.
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kbb

Enclosures

cc: George William Stephens, Jr.
and Associates, Inc.
303 Allegheny Avenue
Towson, Maryland 21204

Maryland Department of Transportation

ZONING OFFICE

September 24, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Attn: Mr. James Dyer

Re: 200 Meeting of 9-23-86
Item # 107
Property Owner: Marcus E. Whitman
Location: S/S Valley Road, W & E/S of Greenspring Avenue
Existing Zoning: R.C. 2
Proposed Zoning: Special Hearing
to approve the creation and existence of separate buildable parcels of land in an R.C. 2 zone where the parcels of land are described in separate deeds and/or in separate descriptions in the same deeds, which deeds were recorded prior to November 25, 1979.
Area: 155.43 acres (15 parcels)
District: 3rd Election District

Dear Mr. Jablon:

On review of the submittal to approve the creation and existence of separate building parcels, the State Highway Administration offers the following comments.

All future Right-of-Way on Route 130 must be shown as 70' (35' half section) with any change or reconstruction of existing access to Greenspring Valley Road (Route 130) through State Highway Administration access permit.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:maw

cc: Mr. J. Ogle

My telephone number is (301) 659-1350
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5262 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERBER
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

OCTOBER 28, 1986

Re: Zoning Advisory Meeting of SEPTEMBER 23, 1986
Item # 107
Property Owner: MARCUS E. WHITMAN
Location: S/S VALLEY RD. W & E/S OF
GREENSPRING AVE.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- (X) There are no site planning factors requiring comment.
- () A County Review Group Meeting is required.
- () A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- (X) A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The parking arrangement is not satisfactory.
- () Parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board on
- () Landscaping: Must comply with Baltimore County Landscape Manual.
- () The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is
- () The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- () Additional comments:

David Fields, Acting Chief
Current Planning and Development

cc: James Hoswell

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

October 2, 1986

Item No. 107 -ZAC- Meeting of September 23, 1986
Property Owner: Marcus E. Whitman
Location: S/S Valley Road, W & E/S of Greenspring Avenue
Existing Zoning: R.C. 2
Proposed Zoning: Special Hearing to approve the creation and existence of separate buildable parcels of land in an R.C. 2 zone where the parcels of land are described in separate deeds and/or in separate descriptions in the same deeds, which deeds were recorded prior to November 25, 1979.
Area: 155.43 acres (15 parcels)
District: 3rd Election District

Dear Mr. Jablon:

Providing a safe access to this site from Greenspring Valley Rd. will be difficult due to the curves on the road and vegetation along the road.

Very truly yours,

Michael S. Flanagan
Traffic Engineer Associate II

MSF:lt

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

September 23, 1986

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

RE: Property Owner: Marcus E. Whitman

Location: S/S Valley Road, W & E/S of Greenspring Avenue

Item No.: 107 Zoning Agenda: Meeting of 9/23/86

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

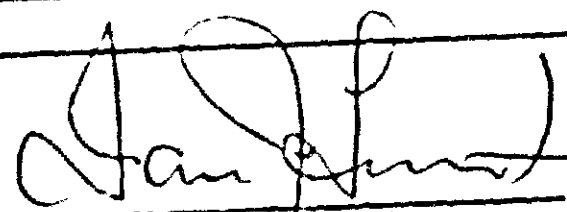
REVIEWER: [Signature] 9-23-86
Planning Group
Special Inspection Division

Noted and Approved: Arnold M. Markowitz
Fire Prevention Bureau

John F. O'Neill

/mb

- () Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
- (✓) Soil percolation tests (have been must be conducted).
() The results are valid until _____.
() Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- (✓) Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
() shall be valid until _____.
() is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- (✓) If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- () Others _____


Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 107, Zoning Advisory Committee Meeting of 9-23-86

Property Owner: Marcus E. Whitman

Location: S/S Valley Rd., E/S Greenspring Ave District 3

Water Supply private Sewage Disposal private

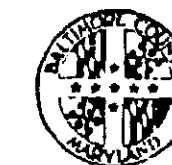
COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- () Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
- () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

WWQ 1 4/86

14-1-86 87-201-SPH

10-23-86
Date



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

September 29, 1986

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204


Dear Mr. Jablon:

Comments on Item # 107 Zoning Advisory Committee Meeting are as follows:

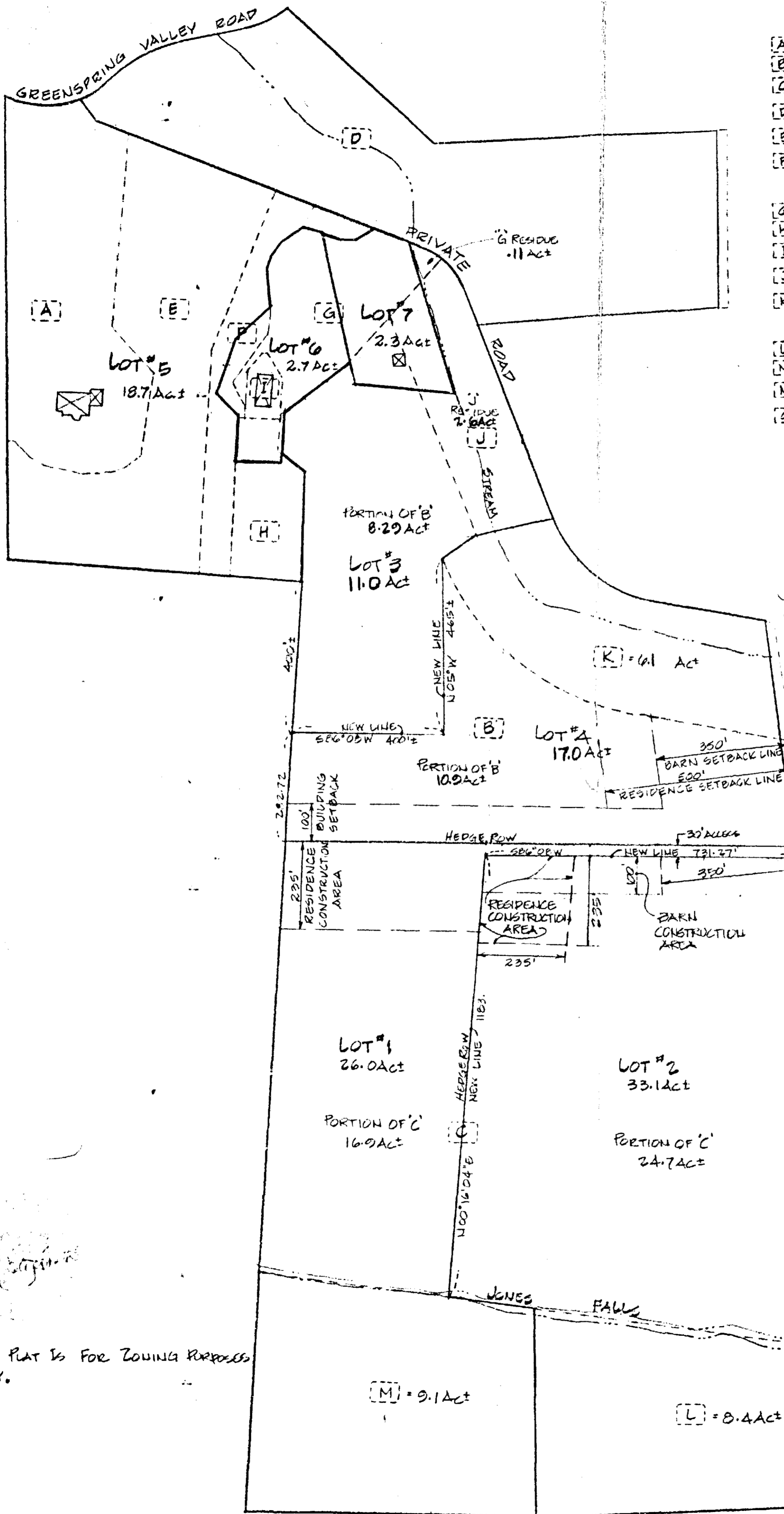
Property Owner: Marcus E. Whitman
Location: S/S Valley Road, W & E/S of Greenspring Avenue
Districts: 3rd.

APPLICABLE ITEMS ARE CIRCLED:

- (A) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.N.S.I. #117-1 - 1980) and other applicable Codes and Standards.
- (B) A building and other miscellaneous permits shall be required before the start of any construction.
- (C) Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.
- D. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- E. All Use Groups except R-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 5'-0" to an interior lot line. R-1 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1407, Section 1406.2 and Table 1402. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- F. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.
- G. The requested variance appears to conflict with Section(s) _____, of the Baltimore County Building Code.
- H. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____, or to Mixed Uses _____. See Section 312 of the Building Code.
- I. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
- J. Comments:
- K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.


BY: C. E. Burnham, Chief
Building Plans Review

4/22/85



DEED REFERENCE	DATE	TAX MAP & PARCEL NO.	AREA
6430/603	August 31, 1982	Map 52	
[A] Parcel 1A		P. 452	7.2 Ac.
[B] Parcel 1B		P/O P. 452	20.4 Ac.
[C] Parcel 2		Map 59 P. 614	41 Ac.
[D] 3322/477	February 19, 1958	Map 59 P. 170	15.14 Ac.
[E] 6191/829	April 17, 1980	Map 59 P. 472	8.16 Ac.
[F] 3949/476	January 23, 1962	Map 59 P. 206	2.01 Ac.
3378/36	July 3, 1958	Map 59	1
[G] Parcel 1		P. 351	3.30 Ac.
[H] Parcel 2		P/O P. 351	1.56 Ac.
[I] 2273/533	April 9, 1953	Map 59 P.	0.35 Ac.
[J] 4109/193	February 15, 1963	Map 59 P. 315	3.14 Ac.
[K] 4274/463	February 26, 1964	Map 59 P. 148	6.27 Ac.
5614/939	March 1, 1976	Map 68 P. 488	
[L] Parcel 1			8.4 Ac.
[M] Parcel 2			9.1 Ac.
[N] 4998/628	June 2, 1969	Map 59 P. 415	12.7 Ac.
[O] 5246/924	January 3, 1972	Map 59 P. 418	16.7 Ac.

- 1) LOT #6 & LOT #7 ESTABLISHMENT AS RESULT OF A WILL
- 2) ONLY 'B' AND 'C' WILL HAVE NEW LINES OF DIVISION. EACH TREATED INDIVIDUALLY.

NOTE: IN ADDITION TO A RESIDENCE ON LOTS 1, 2, 3 & 4 AGRICULTURAL USE WILL CONTINUE ON SAME.

THIS PLAT IS FOR ZONING PURPOSES ONLY.

GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
303 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204

5/21/87 submitted & accepted by z/c
ap

AMENDMENT TO EXHIBIT 'A'
PLAT TO ACCOMPANY A PETITION FOR A
SPECIAL HEARING
WHITMAN ESTATES

RE: Whitman Estate 1. North 82° 51' 20" West 316.41 feet ±
6191/829
2. North 2° 15' 00" East 314.02 feet ±
3. South 84° 09' 58" East 25.52 feet ±
4. South 43° 54' 58" East 57.81 feet ±
5. South 55° 18' 22" East 46.79 feet ±
6. South 75° 30' 00" East 96.26 feet ±
7. South 88° 39' 01" East 85.74 feet ±
8. North 74° 48' 28" East 42.34 feet ±
9. North 55° 35' 21" East 44.17 feet ±
10. North 11° 55' 04" East 220.72 feet ±
11. North 38° 30' 54" East 165.12 feet ±
12. North 7° 46' 22" East 508.07 feet ±
13. North 65° 52' 00" East 405.25 feet ±
14. South 24° 08' West 442.70 feet ± and
15. South 5° 47' 50" West 598.38 feet ±

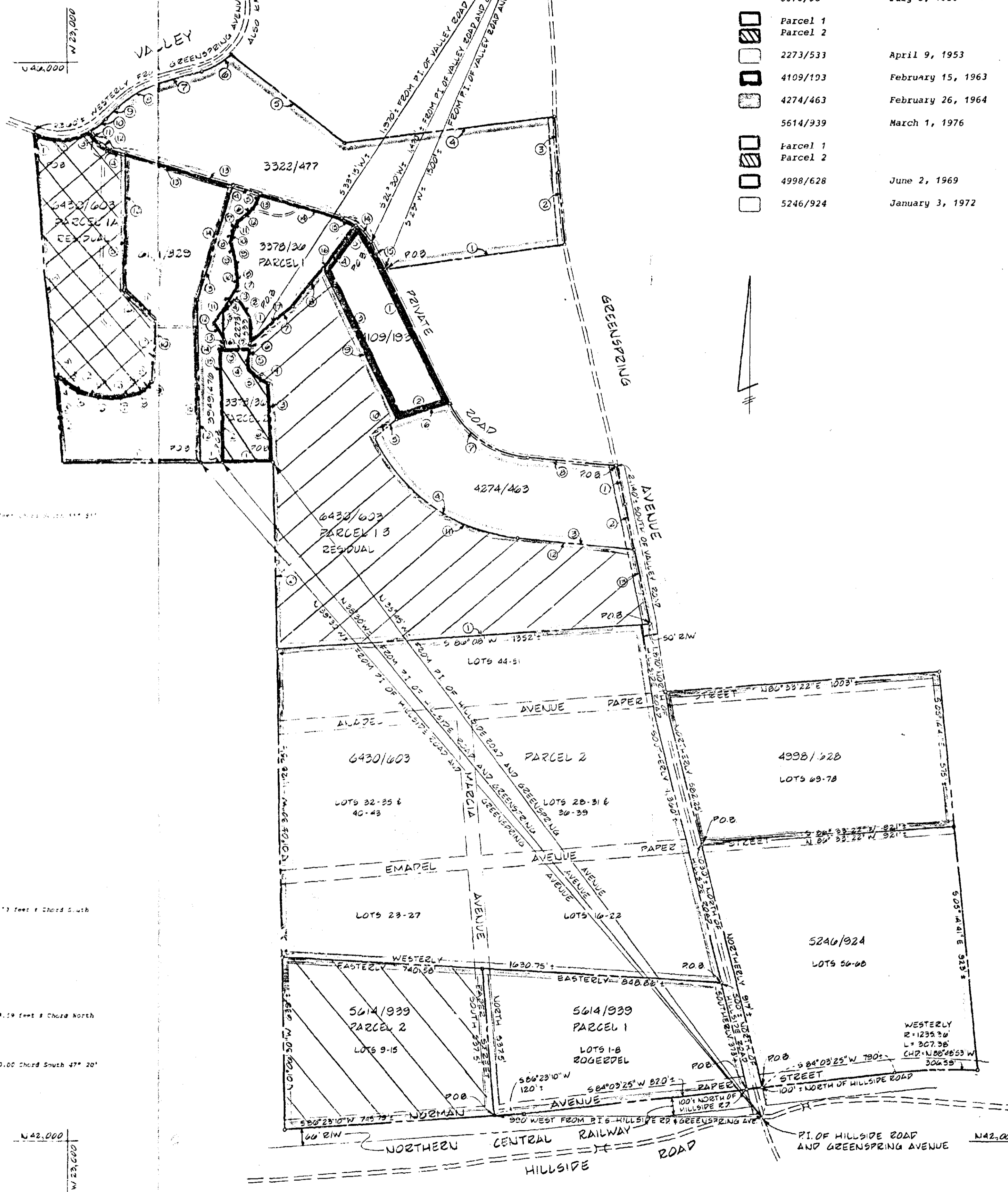
RE: Whitman Estate 1. North 82° 51' 20" West 75.84 feet ±
3341/476
2. North 5° 47' 50" East 594.21 feet ±
3. North 14° 36' 00" East 442.59 feet ±
4. South 65° 52' 00" East 111.59 feet ±
5. South 32° 16' 20" West 86.54 feet ±
6. South 57° 58' 40" West 70.20 feet ±
7. South 32° 24' 50" West 45.00 feet ±
8. South 10° 14' 50" West 40.07 feet ±
9. South 47° 14' 50" East 119.42 feet ±
10. South 27° 10' 10" West 44.00 feet ±
11. South 40° 14' 10" West 155.00 feet ±
12. South 18° 34' 10" East 16.71 feet ±
13. South 47° 14' 20" West 32.00 feet ± and
14. North 47° 47' 50" West 220.74 feet ± and
15. South 17° 47' 50" West 470.26 feet ±

RE: Whitman Estate 1. North 82° 51' 20" East 88.32 feet ±
3341/476
2. North 20° 47' 20" West 74.54 feet ±
3. North 47° 14' 50" West 19.61 feet ±
4. South 47° 14' 20" West 57.15 feet ±
5. South 47° 14' 20" West 48.32 feet ±
6. North 11° 55' 04" East 111.59 feet ±
7. North 32° 16' 20" East 111.59 feet ±
8. North 47° 14' 20" East 40.77 feet ±
9. North 47° 14' 20" East 40.77 feet ±
10. North 47° 14' 20" East 40.77 feet ±
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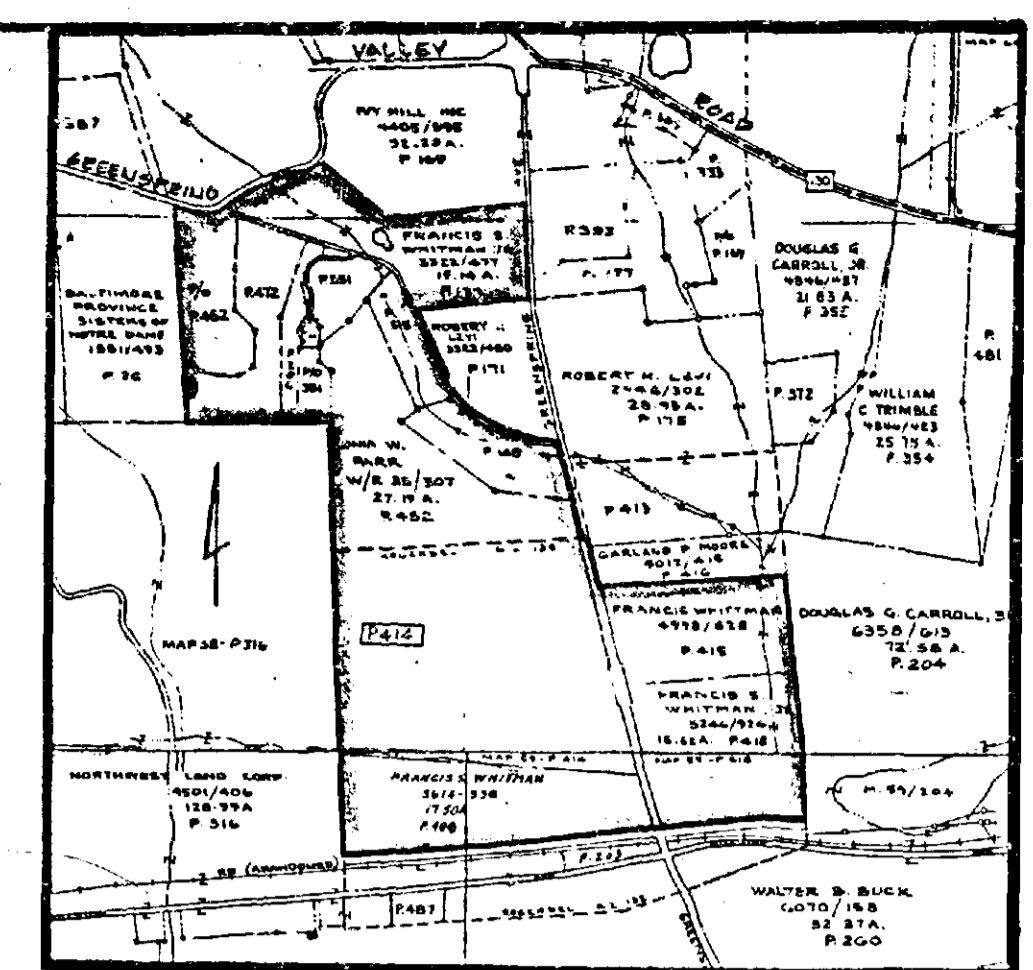
RE: Whitman Estate 1. North 82° 51' 20" West 182.87 feet ±
3341/476
2. North 20° 47' 20" West 111.59 feet ±
3. North 47° 14' 50" West 111.59 feet ±
4. North 47° 14' 50" West 111.59 feet ±
5. North 47° 14' 50" West 111.59 feet ±
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15. North 47° 14' 50" West 111.59 feet ±

RE: Whitman Estate 1. North 82° 51' 20" East 182.87 feet ±
3341/476
2. North 20° 47' 20" West 111.59 feet ±
3. North 47° 14' 50" West 111.59 feet ±
4. North 47° 14' 50" West 111.59 feet ±
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13. North 47° 14' 50" West 111.59 feet ±
14. North 47° 14' 50" West 111.59 feet ±
15. North 47° 14' 50" West 111.59 feet ±

RE: Whitman Estate 1. North 82° 51' 20" East 182.87 feet ±
3341/476
2. North 20° 47' 20" East 173.18 feet ±
3. North 76° 48' 00" West 41.87 feet ±
4. Northwesterly - R = 150.00 feet ± L = 148.19 feet ± Chord North
47° 22' 00" West 436.49 feet ±
5. North 37° 20' 50" East 103.40 feet ±
6. North 78° 39' 00" East 201.75 feet ±
7. Southwesterly - R = 350.00 feet ± L = 340.00 feet ± Chord South 47° 20'
00" East 344.14 feet ± and
8. South 16° 48' 00" East 374.00 feet ±



DEED REFERENCE	DATE	TAX MAP & PARCEL NO.	AREA	LOTS PERMITTED
6430/603	August 31, 1982	Map 59		
Parcel 1A		P. 452	7.2 Ac. ±	1
Parcel 1B		P/O P. 452	20.4 Ac. ±	2
Parcel 2		Map 59 P. 414	41 Ac. ±	2
3322/477	February 19, 1958	Map 59 P. 170	15.11 Ac. ±	2
6191/829	April 17, 1980	Map 59 P. 472	8.16 Ac. ±	1
3949/476	January 23, 1962	Map 59 P. 206	2.01 Ac. ±	2
3378/36	July 3, 1958	Map 59		
Parcel 1		P. 351	3.30 Ac. ±	2
Parcel 2		P/O P. 351	1.56 Ac. ±	1
2273/533	April 9, 1953	Map 59 P.	0.35 Ac. ±	1
4109/193	February 15, 1963	Map 59 P. 315	3.14 Ac. ±	2
4274/463	February 26, 1964	Map 59 P. 148	6.27 Ac. ±	2
5614/939	March 1, 1976	Map 68 P. 488		
Parcel 1			8.4 Ac. ±	2
Parcel 2			9.1 Ac. ±	2
4998/628	June 2, 1969	Map 59 P. 415	12.7 Ac. ±	2
5246/924	January 3, 1972	Map 59 P. 418	16.7 Ac. ±	2



LOCATION MAP
Scale: 1" = 300'

RE: Whitman Estate 1. South 65° 45' East 54.17 feet ±
6430/603 - Parcel 1A
Residual 2. Easterly - R = 223.4 feet ± L = 160.896 feet ± Chord South 86°
23' East 157.42 feet ±
3. South 30° 19' 00" East 91.75 feet ±
4. South 65° 52' East 89.72 feet ±
5. South 07° 46' 22" West 508.07 feet ±
6. South 38° 30' 54" East 165.12 feet ±
7. South 11° 56' 04" West 220.72 feet ±
8. South 55° 35' 21" West 44.17 feet ±
9. South 74° 48' 28" East 42.34 feet ±
10. North 88° 39' 01" East 85.79 feet ±
11. North 75° 30' 00" West 96.26 feet ±
12. North 55° 18' 22" West 46.79 feet ±
13. North 43° 54' 58" East 57.81 feet ± and
14. North 84° 09' 58" West 25.52 feet ± and
15. North 02° 15' 00" East 916.31 feet ±

RE: Whitman Estate 1. North 86° 8' West 176.83 feet ±
6430/603 - Parcel 1B
Residual 2. North 06° 28' East 682.72 feet ±
3. North 05° 41' 50" East 281.63 feet ±
4. North 46° 32' 20" East 92.79 feet ±
5. North 10° 40' 50" East 79.74 feet ±
6. North 07° 15' 40" East 17.23 feet ±
7. North 57° 13' 30" East 219.39 feet ±
8. North 44° 57' 30" East 171.08 feet ±
9. South 17° 52' 00" East 622.81 feet ±
10. South 57° 20' 50" West 103.40 feet ±
11. Southeasterly - R = 650.00 feet ± L = 668.58 feet ± Chord South
47° 20' 00" East 639.49 feet ±
12. South 76° 48' 00" East 429.97 feet ± and
13. South 4° 25' 00" East 271.12 feet ±

RE: Whitman Estate 1. Due East 668.80 feet ±
3322/477
2. North 2° 21' East 268.98 feet ±
3. North 4° 02' East 205.75 feet ±
4. Due West 776.40 feet ±
5. North 42° 59' 50" West 535.12 feet ±
6. Southwesterly - R = 235.60 feet ± L = 128.53 feet ± Chord
South 65° 49' 15" West 126.95 feet ±
7. South 61° 27' West 176.70 feet ±
8. Southwesterly - R = 352.30 feet ± L = 162.50 feet ± Chord South
67° 40' West 167.87 feet ±
9. South 53° 55' West 60.00 feet ±
10. Southwesterly - R = 238.40 feet ± L = 75.90 feet ± Chord South
63° 0' 15" West 75.60 feet ±
11. South 30° 19' East 56.37 feet ±
12. Southeasterly - R = 20 feet ± L = 50.42 feet ± Chord South 48°
05' 30" East 38.09 feet ±
13. South 65° 52' East 909.00 feet ±
14. Southeasterly - R = 160.00 feet ± L = 134.00 feet ± Chord South
41° 52' East 130.16 feet ± and
15. South 17° 52' East 130.16 feet ±

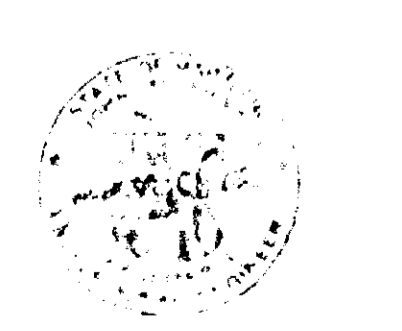
THIS PLAT WAS COMPILED FROM DEEDS AND OTHER
COUNTY RECORDS AND DOES NOT REPRESENT A FIELD
SURVEY OR TITLE SURETY.

* REASON FOR HEARING:
TO APPROVE THE APPLICATION OF B.C.Z. 1A01.3.B1
TO THE CREATION AND EXISTENCE OF SEPARATE BUILDABLE
PARCELS OF LAND IN AN R22 ZONE WHERE THE PARCELS OF
LAND ARE DESCRIBED IN SEPARATE DEEDS AND/OR IN SEPARATE
DESCRIPTORS IN THE SAME DEEDS, WHICH DEEDS WERE
RECORDED PRIOR TO NOVEMBER 25, 1978

* PLAT TO ACCOMPANY A PETITION FOR A
SPECIAL HEARING

WHITMAN ESTATES
101
201
51H

ELECTION DISTRICT 3
BALTIMORE COUNTY, MD
AUGUST 26, 1986
SCALE: 1" = 200'



GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
303 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
(301) 825-8120

OWNER
MARCUS E. WHITMAN
C/O WILLIAM T. FITZGERALD, JR., ESQUIRE
SUITE 180 TWO HOPKINS PLAZA
BALTIMORE, MARYLAND 21201
244-7673

CONTRACT/PURCHASER
TIMOTHY M. RODGERS
BOX 623
BROOKLANDVILLE, MARYLAND 21022